



AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Felgner, et al.
App. No. : 09/738,046
Filed : December 15, 2000
For : INTRACELLULAR PROTEIN
DELIVERY COMPOSITIONS
AND METHODS OF USE
Examiner : Lucas, Zachariah
Art Unit : 1648

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 27, 2004

(Date)

Marc T. Morley, Reg. No. 52,051

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Amendment and Response to Restriction Requirement in two (2) pages.
- (X) Information Disclosure Statement listing and enclosing one (1) document.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Marc T. Morley
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Attorney of Record
Customer No. 20,995
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Felgner, et al.) Group Art Unit 1648
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M. T. Morley
Marc T. Morley, Reg. No. 52,051

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of January 28, 2004, Applicants hereby submit the following provisional election and response to the restriction requirement.

REMARKS

In response to the Restriction Requirement, Applicants hereby elect to prosecute the invention set forth in Group II, Claims 14-23, 26 and 27, in this application. Furthermore, the Office Action requires a species election. Accordingly, Applicants elect species (B), and sub-species (i). Applicants reserve the right to prosecute Group I claims, Claims 1-13, 24 and 25, in divisional applications under the provisions of 35 U.S.C. § 121.